

EXHIBIT 10

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF MICHIGAN
3 SOUTHERN DIVISION

4 _____

5 In Re:)

6)

7 FLINT WATER CASES) No: 5:16-cv-10444-JEL-MKM

8) (Consolidated)

9) HON. JUDITH E. LEVY

10) MAG. MONA K. MAJZOUN

11 _____

12 Elnora Carthan, et al.

13 Plaintiff,

14 -vs- No: 5:15-cv-10444-JEL-MKM

15 GOVERNOR RICK SNYDER,

16 et al.,

17 Defendants.

18 _____/

19 HIGHLY CONFIDENTIAL

20 The videotaped deposition of ROBERT J. McCaffrey, Ph.D.,
21 taken via Golkow Remote Counsel, commencing at 10:05 a.m.
22 Monday, March 15, 2021, before Ann L. Bacon CSR-1297.

23

24

25

1 A. Not that I feel confident or comfortable giving
2 you.

3 Q. Fine. No reason to say anything else. That's
4 totally fine. I'll see it when I see it.

5 A. Okay.

6 (Marked Exhibit No. 7.)

7 Q. (Continuing, by Mr. Stern) All right. Let's
8 move on to what I will now mark as Exhibit 7 and
9 this is the, this is the 19-page report that you
10 generated related to Emir Sherrod. First off, I
11 just want to make sure that you see this
12 document and that this accurately reflects and
13 is, in fact, an accurate copy of the report that
14 you provided related to Mr. Sherrod. Is this an
15 accurate version of the report that you provided
16 for Mr. Sherrod?

17 A. Yes.

18 Q. Let me ask that differently. Is it an accurate
19 version of the report that you provided to Veolia
20 with regard to the claims made by Mr. Sherrod?

21 A. Yes.

22 Q. Okay. If you and I were having a drink at a bar
23 and you felt comfortable talking to me about
24 your work on the Sherrod case and I said to you,
25 and I signed a confidentiality agreement and you

1 had no doubt whatsoever that everything you've
2 told me would either be confidential or I would
3 forget anyway because we were drinking so much
4 at the bar, if you had to explain to me what
5 your opinions are about Mr. Sherrod in your own
6 words right now, what are your opinions that you
7 plan to offer in this case?

8 MR. ROGERS: Object to form. Go ahead,
9 Bob.

10 A. Just one second. The main one would be that
11 Emir Sherrod does not suffer from attention
12 deficit hyperactivity disorder and that his
13 overall neuropsychological test profile does not
14 reveal any cognitive deficits, that he has no
15 increased risk of not obtaining appropriate levels
16 of education or employment based upon my review
17 of the materials outlined on page one of that
18 report. I think that would be a fair synopsis.

19 Q. (Continuing, by Mr. Stern) Okay. And I know
20 that we've already discussed it, but specific to
21 Mr. Sherrod, sitting here today, you've never
22 had an opportunity to meet Mr. Sherrod, correct?

23 A. Correct.

24 Q. You've never had an opportunity to perform your
25 own battery of tests or evaluation of

Highly Confidential - Robert J. McCalliey, Ph.D.

1 STATE OF MICHIGAN)

)

2 COUNTY OF MACOMB)

3 I, Ann L. Bacon, a Notary Public in and for
4 the above county and state, do hereby certify
5 that the witness, whose attached deposition was
6 taken before me in the entitled cause on the
7 date, time and place hereinbefore set forth, was
8 first duly sworn to testify to the truth, and
9 nothing but the truth; that the testimony
10 contained in said deposition was reduced to
11 writing in the presence of said witness by means
12 of stenography; that said testimony was
13 thereafter reduced to written form by mechanical
14 means; and that the deposition is, to the best
15 of my knowledge and belief, a true and correct
16 transcript of my stenographic notes so taken.

17 I further certify that the signature to and
18 the reading of the deposition by the witness was
19 waived by counsel for the respective parties
20 hereto; also, that I am not of counsel to either
21 party or interested in the event of this case.

22 _____

23 Ann L. Bacon, Notary Public, Macomb County

24 Acting in Macomb County

25 My commission expires: 6/29/23